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**FORMER NYPD OFFICER SENTENCED TO 35 MONTHS
IMPRISONMENT FOR CIVIL RIGHTS VIOLATIONS**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, announced that CRAIG G. YOKEMICK, a former New York City Police Officer, was sentenced today in Manhattan federal court by United States District Judge VICTOR MARRERO to 35 months of imprisonment for violating the civil rights of Kenneth Banks, who died as a result of head injuries he sustained during the course of an arrest on October 29, 1998.

On August 6, 2004, YOKEMICK pleaded guilty to Counts One and Two of the Indictment. As admitted by YOKEMICK during his guilty plea, and as charged in Count One of the Indictment, YOKEMICK threw a police radio at Mr. Banks, resulting in the injuries to Kenneth Banks, and thereby deprived Mr. Banks of his constitutional right to be secure in his person and free from the use of unreasonable force by one acting under color of law. YOKEMICK also admitted during his guilty plea that, as charged in Count Two of the Indictment, he acted with deliberate indifference to the serious medical needs of Mr. Banks by failing to provide necessary and appropriate medical care and treatment

for Mr. Banks, resulting in bodily injury to Mr. Banks, and thereby willfully deprived Mr. Banks of his constitutional right not to be deprived of liberty without due process of law, which includes the right to receive necessary and appropriate medical care and treatment while in official custody. In his plea allocution, YOKEMICK admitted that he threw his police radio at Banks, hitting him in the head area, and, after doing so, he failed to inform his sergeant at the scene of the fact that he had thrown the radio at Kenneth Banks.

Mr. Banks was pronounced brain dead within hours of his arrest and died on November 10, 1998, after he was taken off of life support.

Although YOKEMICK did not plead guilty to Count Three of the Indictment, which was dismissed at the time of sentencing, YOKEMICK also admitted, pursuant to the terms of his plea agreement, that he violated the civil rights of another individual, John Richardson, during a separate incident that occurred in Yorktown Heights, New York, on April 26, 2002.

Pursuant to the terms of the plea agreement entered into between YOKEMICK and the Government, YOKEMICK faced a sentencing range of between 33 and 41 months of imprisonment.

In addition to the sentence of 35 months of imprisonment, Judge MARRERO also ordered YOKEMICK to serve 3 years of supervised release, during which time he must perform

300 hours of community service and enroll in an anger management program.

Mr. KELLEY praised the Federal Bureau of Investigation for its investigation of this case.

Assistant United States Attorneys SHARON L. McCARTHY and ANDREW W. SCHILLING are in charge of the prosecution.

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